

47092

NO. 9
DEED RECORD
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CITY OF PATTISON

AN ORDINANCE CLOSING AND ABANDONING THE ALLEY OR EASEMENT IN BLOCK FIFTY (50) OF THE CITY OF PATTISON TO THE ADJACENT SURFACE OWNERS AND ACCEPTING DIFFERENT UTILITY EASEMENTS.

WHEREAS, the Owners of all the surface estate of Block Fifty (50) of the Town of Pattison, hereafter called the City of Pattison, have all agreed, requested, authorized, and permitted the abandonment and closing of the alley or easement delineated on the map or plat of the City of Pattison recorded in Vol. 9, Pg. 161 of the Deed Records of Waller County as per the instrument attached hereto, marked Exhibit "A" and for all purposes made a part hereof; and,

WHEREAS said Owners have tendered to the City of Pattison instruments conveying a general easement to said City, duly executed true copies of said instruments being attached hereto, marked Exhibit "B" and Exhibit "C" and for all purposes made a part hereof; and,

WHEREAS it appears in the best interests of the City of Pattison that said request be approved and different easements accepted; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF PATTISON that the City does hereby close and abandon unto WILLIAM B. KITZMAN and wife, MARY GRACE KITZMAN, that portion of the alley or easement delineated on the map or plat of the City of Pattison recorded in Vol. 9, Pg. 161 of the Deed Records of Waller County, Texas which adjoins Lots One (1), Two (2), Nine (9) and Ten (10) of said Block and unto JOHN WESLEY BRUNKENHOEFFER and wife, ERNESTINE C. BRUNKENHOEFFER, that portion of such alley or easement adjoining Lots Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) of Block Fifty aforesaid and FURTHER BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PATTISON that City accepts a general easement from WILLIAM B. KITZMAN and wife, MARY GRACE KITZMAN, and JOHN WESLEY BRUNKENHOEFFER and wife, ERNESTINE C. BRUNKENHOEFFER, granting

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unto the City of Pattison a general easement around the
perimeter of Block Fifty of said City as follows:

An easement five (5) feet in width along and parallel
to Avenue F, six (6) feet in width along and parallel
to Sixth Street; five (5) feet along and parallel to
Avenue E; and four (4) feet along and parallel to Fifth
Street.

This ordinance shall be passed finally on the date of
its introduction and shall take effect immediately upon its
passage and approval by the Mayor.

PASSED this 19 day of Aug, 1974.

APPROVED this 19 day of Aug, 1974.

B. M. Taylor
Mayor of the City of Pattison

attested M. M. Morton Aug 19, 1974
City Secretary

EASEMENT

THE STATE OF TEXAS *
 COUNTY OF WALLER *

KNOW ALL MEN BY THESE PRESENTS, That We, WILLIAM B. KITZMAN and wife, MARY GRACE KITZMAN of the County of Waller and State of Texas, as Grantors, in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed and do by these presents grant, bargain, sell and convey to the City of Pattison, located in the County of Waller, State of Texas, as Grantee, its successors and assigns an easement with the right of widening and improving existing roads and with the right to construct, alter and maintain any and all public utilities across the property described as follows, to-wit:

Parcel A

A strip of land being five feet wide and 100 feet long and lying along and adjacent to the West line of Avenue F of the City of Pattison and being the East five (5) feet of Lots one (1) and two (2) of said Block 50;

Parcel B

A strip of land being five feet wide and 100 feet long and lying along and adjacent to the East line of Avenue E of the City of Pattison and being the West five feet of Lots nine (9) and ten (10) of said Block 50;

Parcel C

A strip of land being four (4) feet wide and 210 feet long and lying along and adjacent to the South line of Fifth Street of the City of Pattison, adjoined Parcel A on the East end, and Parcel B on the West end and being the North four feet of Lots one (1) and ten (10) and of the abandoned alley or easement of said Block 50.

together with the free right of ingress and egress over and across such property, insofar as such right of ingress and egress is necessary to the proper use of any other right granted herein.

DATED this the 18th day of August, 1974.

William B. Kitzman
 WILLIAM B. KITZMAN

Mary Grace Kitzman
 MARY GRACE KITZMAN

No. 9

THE STATE OF TEXAS *
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COUNTY OF WALLER *

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM B. KITZMAN and wife, MARY GRACE KITZMAN, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th
day of August, 1974.

Carolyn M. Kitzman
Notary Public in and for
Waller County, T E X A S
my commission expires June 1, 1975

EXHIBIT "B"

EASEMENT

THE STATE OF TEXAS *
 *
COUNTY OF WALLER *

KNOW ALL MEN BY THESE PRESENTS, That We, JOHN WESLEY BRUNKENHOEFFER and wife, ERNESTINE C. BRUNKENHOEFFER of the County of Waller and State of Texas, as Grantors, in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed and do by these presents grant, bargain, sell and convey to the City of Pattison, located in the County of Waller, State of Texas, as Grantee, its successors and assigns an easement with the right of widening and improving existing roads and with the right to construct, alter and maintain any and all public utilities across the property described as follows, to-wit:

Parcel A

A strip of land being five feet wide and 150 feet long and lying along and adjacent to the West line of Avenue F of the City of Pattison and being the East five (5) feet of Lots three (3), four (4), and five (5) of said Block 50;

Parcel B

A strip of land being five feet wide and 150 feet long and lying along and adjacent to the East line of Avenue E of the City of Pattison and being the West five feet of Lots six (6), seven (7), and eight (8) of said Block 50;

Parcel C

A strip of land being six (6) feet wide and 210 feet long and lying along and adjacent to the North line of Sixth Street of the City of Pattison, adjoined Parcel A on the East end, and Parcel B on the West end and being the South six feet of Lots five (5) and six (6) and of the abandoned alley or easement of said Block 50.

together with the free right of ingress and egress over and across such property, insofar as such right of ingress and egress is necessary to the proper use of any other right granted herein.

DATED this the 18 day of August, 1974.

John Wesley Brunkenhoeffler
JOHN WESLEY BRUNKENHOEFFER

Ernestine C. Brunkenhoeffler
ERNESTINE C. BRUNKENHOEFFER

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THE STATE OF TEXAS *
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COUNTY OF WALLER *

BEFORE ME, the undersigned authority on this day personally appeared JOHN WESLEY BRUNKENHOEFFER and wife, ERNESTINE C. BRUNKENHOEFFER, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th
day of August, 1974.

Carol M. Kitzman
Notary Public in and for
Waller County, T E X.
my commission expires June 1, 1975